

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD JULY 7, 2015, AT 6:00 PM, AT THE COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.**

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**CALL TO ORDER**

Mayor Joens called the meeting to order at 6:02 p.m. Roll call was taken as follows:

**ROLL CALL**

**COUNCIL MEMBERS PRESENT**  
**ABSENT**

Diane Joens, Mayor  
Karen Pfeifer, Vice Mayor  
Jesse Dowling, Council Member  
Tim Elinski, Council Member  
Randy Garrison, Council Member  
Terence Pratt, Council Member

**COUNCIL MEMBERS**

Ruben Jauregui, Council Member

**STAFF MEMBERS PRESENT**

Doug Bartosh, City Manager	Jody Fanning, Police Chief
Marianne Jimenez, City Clerk	Clint Dobrinski, Police Officer
Steve Horton, City Attorney	Jeremy Daniels, Police Sgt.
Rudy Rodriguez, Administrative Services General Manager	
Morgan Scott, Development Services Manager	Vanessa Ward, Library Manager
Scott Ellis, Planner	Tom Whitmer, Natural Resources
Mgr.	
David Ayers, Public Works Maintenance Worker	Rose Barnett, Library Clerk
Roger Biggs, Utilities Department Administrative Manager	
Police Commander Gary Eisenga	
Communication Specialists: Heather Huber, Angelina Morales-Weed, Jordan Lewis	

**PLEDGE OF ALLEGIANCE**

Sonia Castriata, a Mingus Union High School student, led the pledge, and Mayor Joens presented her with a certificate of appreciation for leading the pledge.

**BRIEF SUMMARY OF CURRENT EVENTS BY MAYOR, CITY COUNCIL AND/OR CITY MANAGER -- THE PUBLIC BODY DOES NOT PROPOSE, DISCUSS, DELIBERATE OR TAKE LEGAL ACTION ON ANY MATTER BROUGHT UP DURING THIS SUMMARY UNLESS THE SPECIFIC MATTER IS PROPERLY NOTICED FOR LEGAL ACTION.**

Mr. Bartosh stated they had another successful Fourth of July fireworks display; on Wednesday at 4 p.m., the VVLP (Verde Valley Land Preservation) was showing a new piece of art at the library called, "High Water Mark;" Wednesday the 15th at 5:30 p.m., at the rec center they will be showing the Verde Valley Transportation Plan and anyone who is interested in commenting on that is welcome to attend.

Mayor Joens asked Mr. Bartosh if he had an update on the Tilted earth event.

Mr. Bartosh replied it was very successful. The numbers indicate that there was probably somewhere around 3,000 that attended both nights. There was a lot of great feedback. I think there will be a lot of expanded interest next year and a lot more people attending it. The main sponsor, Page Springs, I think lost some money on it and so they will be looking at ways to try and make up that difference, but other than that it was a very successful night.

Mayor Joens announced the following: she attended the Tilted Earth festival; on June 23 she attended "Spotlight on Senior Services and Living Options," which was a care professionals luncheon mixer hosted by Cottonwood Village; she and the Vice Mayor attended the Christian Care ribbon cutting and toured the facility; on the 24th she attended the "Healthy Arizona Work Site" luncheon sponsored by the City of Phoenix, and Ryan Bigelow, Trevor Faust, and Casey Rooney also attended, and the city received the copper Healthy Arizona work sites award at the luncheon for our commitment to improve work site wellness through the city's wellness team; she interviewed Keith Vogler and Richard Faust for the Verde Valley military service park, and Larry Jacobs and Luke Sefton for the "Employers Support and Guard and Reserve (ESGR)" and showed the recognition plaque the city received from ESGR; on the 30th she went to Prescott to be one of the five mayors who discussed economic development in all of our communities (Williams, Flagstaff, Prescott, Sedona, and Cottonwood;) she met with Kathy Knapp and Janice Montgomery who were starting a new program, "Verde Valley Seed Library," and Vanessa Ward has been working with them and sounds like we may have a presentation to update the council and public at our third meeting in July; she attended the picnic in the park Friday night, and the Old Town Mission had partnered with River Fellowship in providing meals for the homeless; and on July 14 at 11:30 a.m., there will be a ribbon cutting for the Miracles Happen Resale store at 541 North Main Street which was opened to support Steps to Recovery Homes.

### **INTRODUCTION OF NEW EMPLOYEES**

Library Clerk, Rose Barnett; Communication Specialists; Heather Huber, Angelina Weed, Jordan Lewis

Commander Eisenga introduced new communication specialists Heather Huber, Angelina Morales-Weed, and Jordan Lewis,

Vanessa Ward, Library Manager, introduced the new library clerk, Rose Barnett.

### **AWARDS**

EMPLOYEE OF THE QUARTER--CLINT DOBRINSKI, PATROL OFFICER.

Chief Fanning reviewed why he had nominated Officer Dobrinski for employee of the quarter, and the Mayor, Council, and City Manager presented him with a check and certificate.

EMPLOYEES YIELDING EFFECTIVE SAFETY--DAVID AYERS, PUBLIC WORKS.

Mr. Scott reviewed why David Ayers had been nominated to receive the E.Y.E.S. quarterly safety award. The Mayor, Council, and City Manager presented Mr. Ayers with a check and certificate.

## **PRESENTATIONS**

### **PRESENTATION OF THE VIDEOS AND CHECKS TO THE WINNERS OF THE WATER CONSERVATION VIDEO PROJECT.**

Mr. Whitmer stated as part of the on-going water conservation education effort, the council had approved the second annual water conservation video contest that was open to all Mingus Union High School students. Twenty seven videos were submitted and a committee was formed to select the top three videos, and there was a tie for third place. He then showed the four videos.

Sonia Castriata, one of the students who submitted the first, third place winning video, briefly reviewed her experience in creating the water conservation video.

**CALL TO THE PUBLIC--This portion of the agenda is set aside for the public to address the Council regarding an item that is not listed on the agenda for discussion. However, the Council cannot engage in discussion regarding any item that is not officially listed on the agenda for discussion and/or action (A.R.S. §38-431.02.A.(H).) Comments are limited to a 5 minute time period.**

Bob Richards, informed the council he would not be seeking reappointment to the Parks and Recreation Commission. He stated the council tended to reappoint incumbents to board and commissions, and if all incumbents are always reappointed there would be no new faces on the commission and boards to challenge those who have been on the boards and commissions for maybe too many years. Word would get out that the council only appoints incumbents and won't bother to apply. He encouraged the council to evaluate whether tradition should take precedence in choosing members of a commission or board over evaluating incumbents and new candidates on what value they bring to the table. He handed out a copy of his additional comments.

John Merrill stated he was having a serious issue with our water company, because in the nine years he had lived here he had had three major leaks and never once been notified so he could correct it until he received his bill. Fourteen days elapsed from the time they read his meter and he received his bill. They had never been informed and thought the council needed to address this issue.

Mayor Joens stated we are not able to respond, but we are able to respond to criticism, and asked if it would be appropriate to have our water manager speak to this issues or not.

Mr. Horton replied yes, at the council's pleasure.

Mayor Joens questioned if the council wanted to hear from Mr. Biggs on this issue.

Council Member Pratt stated he thought it was also important that he meet one on one with the person that was having issues with the water.

Council Member Garrison stated he thought some things have happened since this has been brought to the city's attention, and it would be good if Roger was able to explain what's going on.

Mr. Biggs stated there are procedures in place to reduce this from happening. We have three meter readers read 10,000 meters a month. There were various technologies involving remote reading, some radio reading, and actually going out and putting the numbers in. The meter readers themselves don't always know what the previous read was. Leaks are not caught until the data goes to the clerks, and the bills generated. A high use would generate a work order that would generate a call to the customer, or a door hangar. It would be a very unusual circumstance that there wasn't some kind of notification. We're not allowed to attach a door hangar; you hang them on the door and that's it. You can't tape them, pin them, or put them under a rock. Everything on the customer's side of the meter is their responsibility; it's not the city's responsibility. As a result of this particular case, we've tightened up our procedures a little bit and think we have a little bit better response from our meter readers and management.

Mayor Joens stated she would think the city manager was working on this.

Mr. Bartosh stated he had asked Roger to implement procedures that ensure we make personal contact, not just door hangars, and record the attempt to contact.

### **APPROVAL OF MINUTES**

BUDGET WORK SESSION OF MAY 14, 2015; REGULAR MEETING OF JUNE 2, 2015; WORK SESSION OF JUNE 9, 2015.

Council Member Pratt stated there was a typo in the budget meeting minutes; it said the meeting started at 6:01 and I think it started at 4.

Mayor Joens stated there was another typo that she sent to the City Clerk on the gallons that the waste water treatment plant could hold per day.

Council Member Elinski moved to approve the minutes with the corrections. The motion was seconded by Vice Mayor Pfeifer, and carried.

At this point in the meeting, Cameron Bloniarz, one of the six students who won first place for the water conservation videos, arrived. Mayor Joens invited him to address the council, and he stated it was a pretty good project and it was fun making stuff. What he liked about it was it opened the whole school to the whole idea of saving water in the Verde Valley.

### **UNFINISHED BUSINESS**

ORDINANCE NUMBER 613--AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY 3.83 ACRES LOCATED AT 626 SOUTH 10TH STREET (APN 406-05-034B,) SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF C-1 (LIGHT

COMMERCIAL) AND AR-43 (AGRICULTURAL/RESIDENTIAL) TO C-2 (HEAVY COMMERCIAL;) SECOND AND FINAL READING.

Council Member Dowling declared a conflict of interest on this item.

Mr. Ellis stated at the June 16 meeting this was presented. There was comments from a neighboring property about the southern property line where there was going to be a 6 foot chain link fence with slats. The request was for the applicant to talk to the property owner and maybe develop a solid block wall. It was his understanding from speaking with the applicant and the property owner that they have come to an agreement, and the applicant will put a 6 foot block wall across the southern property line. It has been resubmitted for plans showing that it will be a wall going across the back. There was a question on drainage that would be resolved, and there would be a full drainage report submitted before any work is done. The applicant and neighboring property owner were here.

Greg Galpin, President of Galpin Ford, stated it should be a nice project. We want to be friendly with our neighbors and get started on it. As soon as they get the C-2 zoning they could close escrow and move forward. There was another question about the east side of the building looking more like a warehouse, and they will put windows and awnings to make it look nice.

Mayor Joens stated these things weren't in the stipulations, these are just discussions that staff had with the homeowners and Mr. Galpin who has agreed to do these things. The council was interested in keeping the project moving forward, and Council Member Jauregui was very adamant that this was a promise, so they appreciate that he was here tonight.

Council Member Pratt stated we discussed it a lot, and we all agreed that it's a good thing for Cottonwood, and we have another business that builds sales tax. The lot is kind of an eyesore now, and he appreciated them working with the neighbors, and public opinion was going to go in his favor. We are happy to see this happen in Cottonwood.

Mayor Joens stated this project will help us pay for our citizens' services, including fire protection, police protection, and parks and recreation, so it's good for our citizens to have a business like this.

Council Member Pratt moved to approve Ordinance Number 613. The motion was seconded by Vice Mayor Pfeifer, and carried.

Mayor Joens requested the City Clerk read Ordinance Number 613 by title only:

#### ORDINANCE NUMBER 613

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY 3.83 ACRES OF LAND, LOCATED AT 626 SOUTH 10TH STREET (APN 406-05-034B,) SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF C-1 (LIGHT

COMMERCIAL) AND AR-43 (AGRICULTURAL/RESIDENTIAL) TO C-2 (HEAVY COMMERCIAL.)

### **CONSENT AGENDA**

RENEWAL OF PROFESSIONAL SERVICES AGREEMENT WITH GUARDIAN CONSULTING COMPANY, INC., FOR SAFETY CONSULTING SERVICES.

Council Member Elinski moved to approve the consent agenda. The motion was seconded by Vice Mayor Pfeifer, and carried.

The Mayor requested the City Clerk note that Council Member Pratt was absent during this vote.

### **NEW BUSINESS**

PURCHASE OF REPLACEMENT ARSENIC REMOVAL MEDIA AND ON-SITE SUPERVISION FROM HUNGERFORD & TERRY, INC., FOR THREE CITY WELLS.

Mr. Biggs stated he was requesting council approval to purchase arsenic removal media for the city's high production wells. The media has a life span of between 5 and 10 years and they were starting to have some problems with it. They found a vendor for the material; Hungerford & Terry who have been in business since 1909 with water chemistry and water treatment solutions. The cost was \$102,765 for the media, which was a combination of black sand material, gravel, and granulated carbon. The project will take approximately a month and he estimated a November 1 start date. He also estimated the material would have a 10 year life span.

Mayor Joens stated she appreciated the newspaper article he did about arsenic.

Council Member Garrison moved to approve quotation Q0031 from Hungerford & Terry. The motion was seconded by Vice Mayor Pfeifer, and carried.

### **CLAIMS AND ADJUSTMENTS**

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Council Member Pratt moved to approve the Claims and Adjustments. The motion was seconded by Vice Mayor Pfeifer, and carried.

### **Bottom Items**

ANNUAL REVIEW OF THE CITY CLERK – EXECUTIVE SESSION. PURSUANT TO A.R.S. § 38-431.03(A)(1), THE COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO CONDUCT ITS ANNUAL PERFORMANCE EVALUATION OF THE CITY CLERK, SUBJECT TO THE CITY CLERK'S RIGHT TO COMPEL THE COUNCIL TO DISCUSS THIS MATTER IN OPEN MEETING.

ANNUAL REVIEW OF THE CITY ATTORNEY – EXECUTIVE SESSION. PURSUANT TO A.R.S. § 38-431.03(A)(1), THE COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO CONDUCT ITS ANNUAL PERFORMANCE EVALUATION

OF THE CITY ATTORNEY, SUBJECT TO THE CITY ATTORNEY'S RIGHT TO COMPEL THE COUNCIL TO DISCUSS THIS MATTER IN OPEN MEETING.

Mayor Joens stated she did send the normal letter advising them of their right to have this meeting in open session, and they both replied that executive session worked for them.

Mayor Joens moved to resolve into executive session. The motion was seconded by Council Member Pratt, and carried.

After review of the City Clerk and City Attorney under executive session, Vice Mayor Pfeifer moved to resolve back into regular session. The motion was seconded by Council Member Pratt, and carried.

#### DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY CLERK'S EMPLOYMENT AGREEMENT

Council Member Pratt moved to approve another year's contract for our City Clerk and include a five percent salary increase retroactive to July 1, 2015, through July 1, 2016. The motion was seconded by Vice Mayor Pfeifer, and carried.

#### DISCUSSION AND POSSIBLE LEGAL ACTION REGARDING THE CITY ATTORNEY'S EMPLOYMENT.

Council Member Elinski moved to retain the City Attorney as our contract employee and to give him a five percent merit increase effective as of his anniversary date in 2015. The motion was seconded by Council Member Pratt, and carried.

#### **ADJOURNMENT**

Mayor Joens moved to adjourn. The motion was seconded by Council Member Garrison, and carried. The regular meeting adjourned at 8:26 p.m.